



## CITY OF LODI

## COUNCIL COMMUNICATION

AGENDA TITLE: Approve Improvement Agreement for the Public Improvements of 1115 East Lockeford Street and Appropriate Funds for the Reimbursement for City-Funded Facilities (\$55,000)

MEETING DATE: March 19, 2003

PREPARED BY: Public Works Director

RECOMMENDED ACTION: That the City Council approve the Improvement Agreement for the Public Improvements of 1115 East Lockeford Street, direct the City Manager and City Clerk to execute the agreement on behalf of the City, and appropriate funds for the City-funded facilities.

BACKGROUND INFORMATION: The developer, Dennis G. Bennett, as Trustee of the Dennis G. Bennett Family Trust, is the owner of the parcel located at 1115 East Lockeford Street (APN 049-030-19). The parcel is located on the north side of Lockeford Street between Beckman Road and Cluff Avenue, as shown on Exhibit A. The installation of street frontage improvements in Lockeford Street is required as a condition of development for the parcel. The Developer has furnished the City with the improvement plans, necessary agreements, guarantees, insurance certificates and fees for the proposed project.

### Street Frontage Improvements Fronting Adjacent Parcel

An Improvement Deferral Agreement between the City and the owner of the parcel located at 375 North Cluff Avenue (APN 049-030-16), immediately adjacent to the east boundary of the project site as shown on Exhibit A, was recorded in the office of the San Joaquin County Recorder on May 16, 2000, as Instrument No. 00054047. The terms of the agreement stipulate that the owner will design, construct and pay for the street improvements, including utilities, along the Lockeford Street frontage of the parcel at the time of development of the adjacent parcel or at the request of the City, whichever occurs first.

The street frontage improvements required by the Improvement Deferral Agreement have been included in this project. The cost of those improvements, including construction costs, engineering design and administration fees, engineering plan check and inspection fees and charges for work performed by City crews, is the responsibility of the parcel owner. The owner, Delmar D. Batch, has deposited funds with the City for the cost of the required improvements and has authorized the City to use those funds to reimburse the developer for the cost of the improvements for owner's property. The City will reimburse the developer for the cost of the improvements from the funds deposited by the owner when the improvements are complete and accepted by the City.

APPROVED: \_\_\_\_\_

A handwritten signature in black ink, appearing to read "Dixon Flynn".

Mr. Dixon Flynn -- City Manager

Approve the Improvement Agreement for the Public Improvements of 1115 East Lockeford Street and  
Appropriate Funds for the Reimbursement for City-Funded Facilities (\$55,000)

March 19, 2003

Page 2

#### Reimbursement for City-Funded Facilities

In order to provide for orderly development and facilitate the future widening of Lockeford Street, the existing street pavement improvements in Lockeford Street within the project area shall be removed and replaced by the developer. The limits of this work include the removal and replacement of all street pavement between the existing north and south edges of pavement from 43 feet west of the west property line of the parcel at 1115 East Lockeford Street to the existing curb, gutter and sidewalk at the Cluff Avenue/Lockeford Street intersection. The developer is entitled to reimbursement by the City for this work in conformance with LMC §16.40 Reimbursements for Construction, except such removal and replacement required for the installation of storm drain facilities to serve the project. The limits of the work subject to reimbursement by the City are shown on Exhibit A. Reimbursement shall be made when the improvements are complete and accepted by the City. Staff requests that funds be appropriated for the reimbursement.

FUNDING: Measure K Street Fund (325) \$55,000

Funding Available:

Ruby R. Sainte for  
Finance Director

Richard C. Prima, Jr.

Richard C. Prima, Jr.  
Public Works Director

Prepared by Sharon A. Welch, Senior Civil Engineer

RCP/SAW/pmf

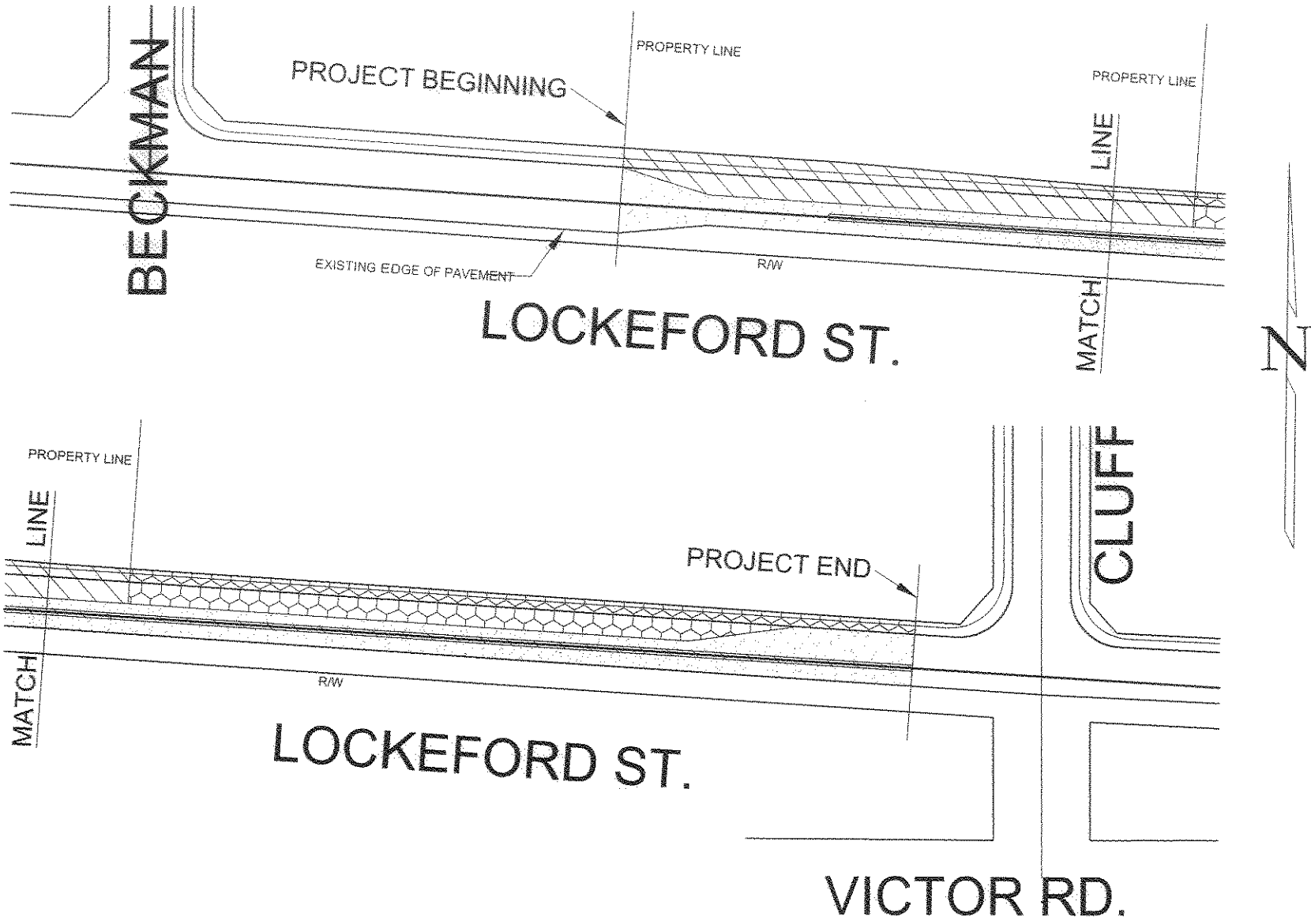
Attachment

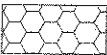
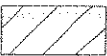
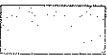
cc: Senior Civil Engineer Fujitani  
Bennett Development  
Delmar D. Batch



CITY OF LODI  
PUBLIC WORKS DEPARTMENT

EXHIBIT A



- BATCH 
- DEVELOPER 
- CITY 

CITY COUNCIL

SUSAN HITCHCOCK, Mayor  
EMILY HOWARD  
Mayor Pro Tempore  
JOHN BECKMAN  
LARRY D. HANSEN  
KEITH LAND

# CITY OF LODI

## PUBLIC WORKS DEPARTMENT

CITY HALL, 221 WEST PINE STREET  
P.O. BOX 3006  
LODI, CALIFORNIA 95241-1910  
(209) 333-6706  
FAX (209) 333-6710  
EMAIL [pwdept@lodi.gov](mailto:pwdept@lodi.gov)  
<http://www.lodi.gov>

H. DIXON FLYNN  
City Manager  
SUSAN J. BLACKSTON  
City Clerk  
RANDALL A. HAYS  
City Attorney  
RICHARD C. PRIMA, JR.  
Public Works Director

March 13, 2003

Mr. Dennis Bennett  
Bennett Development  
P. O. Box 1597  
Lodi, CA 95241

Mr. Delmar Batch  
11174 N. Davis Road  
Lodi, CA 95242

SUBJECT: Approve Improvement Agreement for the Public Improvements of  
1115 East Lockeford Street and Appropriate Funds for the Reimbursement  
for City-Funded Facilities


Enclosed is a copy of background information on an item on the City Council agenda of  
Wednesday, March 19, 2003. The meeting will be held at 7 p.m. in the  
City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the consent calendar and is usually not discussed unless a  
Council Member requests discussion. The public is given an opportunity to address  
items on the consent calendar at the appropriate time.

If you wish to write to the City Council, please address your letter to City Council,  
City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the  
mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's  
card (available at the Carnegie Forum immediately prior to the start of the meeting) and  
give it to the City Clerk. If you have any questions about communicating with the  
Council, please contact Susan Blackston, City Clerk, at 333-6702.

If you have any questions about the item itself, please call Sharon Welch,  
Senior Civil Engineer, at 333-6800, extension 2659.



for: Richard C. Prima, Jr.  
Public Works Director

RCP/pmf

Enclosure

cc: City Clerk